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on January 21, 2009

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia Amador

PATENT

Attorney Docket No.: 022101-000320US

Client Ref. No.: 18915-US2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David Harrow GELFAND, et al.

Application No.: 10/052,417

Filed: January 17, 2002

For: THERMOSTABLE DNA  
POLYMERASES INCORPORATING  
NUCLEOSIDE TRIPHOSPHATES  
LABELED WITH FLUORESCCEIN  
FAMILY DYES

Customer No.: 41504

Confirmation No. 4095

Examiner: Sitton, Jehanne Souaya

Technology Center/Art Unit: 1634

AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 25, 2008, please enter the following amendments and remarks. A Request for Continued Examination (RCE) and a petition for a one-month extension of time, from December 21, 2008 (two months after the filing of the Notice of Appeal) through January 21, 2009 accompany this Amendment. A Declaration filed under 37 CFR § 1.132 of Dr. Nancy Schoenbrunner (hereinafter referred to as the "Schoenbrunner Declaration") also accompanies this Amendment.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.